

April 3, 1974

amendment there says and it would apply to any common carrier, not only boxcars. But if the service is not provided within 14 days after....consecutive days after it has been requested, then the Public Service Commission could require the common carrier who would have normally have hauled it, to provide a substitute service and further that in providing that substitute service that the rate charge would have been the same as if the original common carrier had provided the necessary transportation. There isn't anybody, I don't think, in the state that does not understand the tremendous problem of boxcar shortage, the additional costs which are incurred. The intent of this amendment is to hopefully permit an elevator to ship by truck to a terminal within the state only. Obviously we cannot go interstate, it's all intrastate. But to share the advantage of the intrastate rate that is otherwise available if grain is shipped by car...railroad car. But first, Mr. President, I move the adoption of the Carpenter amendment which exempts the produce shipped under the control of a farmer-rancher from the rate making provision and then I'll move the adoption of the second amendment.

PRESIDENT: The Chair suggests that if we spend too much time on the amendments, we will not get to the bill as a whole. Senator Nore.

SENATOR NORE: Well, Mr. President or Chairman and members. I think we're spinning our wheels here. I think we all understand the bull-shippers bill. I move to indefinitely postpone LB1032.

PRESIDENT: Senator Nore, you'll have to save your motion until we've disposed of this amendment. Do you have the amendment on your desk?

SENATOR NORE: No.

PRESIDENT: You'd better put it there if you want it. Senator Epke.

SENATOR EPKE: Mr. President, now we're discussing both the amendments or....?

PRESIDENT: We're discussing the first amendment which has been referred to as the Carpenter amendment.

SENATOR EPKE: I'd like to refer a question to Senator Warner. Now, as I understand this amendment, it would take livestock out from under the rate setting as long as it weren't first hand, is that right?

SENATOR WARNER: By the wording, as long as it's in the hands of the owner, yes.

SENATOR EPKE: In other words, if a packer bought these cattle at the feedlot, why he would come under the rate setting?

SENATOR WARNER: Yes.

SENATOR EPKE: Suppose a farmer hauled...say feeding cattle. We're not going to talk about fat cattle into the market and sold these cattle. Another farmer-feeder bought